

REGULAR AGENDA MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
June 14, 2021

PUBLIC NOTICE
BOROUGH OF HARRINGTON PARK
MEETING MOVED TO ELECTRONIC PLATFORM
“ZOOM.US”

Pursuant to Governor Murphy’s Executive Orders #107 and 108 ordering Statewide lockdowns, and P.L. 2020, c. 34 permitting public bodies to conduct meetings via electronic means during declared states of emergency, the meeting of the Borough of Harrington Park scheduled for **June 14, 2021 at 7:00 p.m.** will be conducted remotely from the electronic meeting platform Zoom.us. Members of the public can join the meeting and participate during public comment period by joining the meeting using the Zoom mobile application on a smartphone or tablet, joining the meeting by laptop with microphone capabilities, or dialing in using a telephone to the Zoom teleconference system. Information on how to join the meeting electronically appears below.

Members of the public may submit written comments in advance of a meeting, which will be read during the relevant public portion of the meeting. Written comments shall contain the person’s name and address and may be submitted via email to the Borough Clerk (clerk@harringtonparknj.gov) or by mail addressed to: Clerk, Borough Hall, 85 Harriot Ave., Harrington Park, NJ. Emailed comments must be received at least 48 hours prior to the meeting. Mailed comments must be received by 4:00 p.m. the day before the meeting.

If any meeting includes a public hearing, all material that will be considered by the Borough Council at the public hearing shall be posted on or linked to the homepage of the Borough’s website in a conspicuous location or as otherwise required by law. Written comments, as set forth above, will be accepted for such public hearings. If sworn testimony is to be taken during the public hearing, it shall be broadcast by both video and audio. Written public comments will not be considered where sworn testimony is required.

Time: Jun 14, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/91018248120?pwd=NVhoaVdZc1VtajAwOStVcHF3S0J4QT09>

Meeting ID: 910 1824 8120

Passcode: 351953

One tap mobile

+13017158592,,91018248120#,,,*351953# US (Washington DC)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 910 1824 8120

Passcode: 351953

Find your local number: <https://zoom.us/u/abYNHJ7nZX>

Formal action may be taken.

A copy of the agenda and all meeting materials is available at the Borough of Harrington Park website: www.harringtonparknj.gov.

A copy of the agenda and meeting materials may also be requested by calling the Borough Clerk or submitting an e-mail request. Members of the public may contact the Borough Clerk to obtain copies of the meeting materials by calling the Borough Clerk at (201) 768-1700 during the hours of 9:00 a.m. to 4:00 p.m. during normal business days, or by e-mail: Ann Bistriz clerk@harringtonparknj.gov

All documents for matters on the agenda are electronically on file at the following website: www.harringtonparknj.gov.

Please be aware that the audio connections for all members of the public will be muted for the duration of the meeting, except for those periods when public comments are received. Members of the public may use the “raise your hand” feature on Zoom, or may e-mail the Borough Clerk during the meeting, to request to participate in public comment portions. Any member of the public will be unmuted for the purpose of making public comment, or may submit a comment by e-mail to be read by the Borough Clerk. The Borough Clerk’s e-mail is: clerk@harringtonparknj.gov . The Borough may impose time limitations on the length of individual speakers.

Members of the public are advised that the video and audio of the meeting will be recorded and will be a public record subject to disclosure pursuant to the Open Public Meetings Act. The Borough reserves the right to post the recording of the meeting to its website.

Formal Action may or may not be taken.

Any other business that may come before the Council

(PAH) Call Meeting to Order

Time: 7:00pm

Mayor’s Announcement:

In compliance with Chapter 231, Public Law 1975, adequate notice of the meeting was made. It is included in the Annual Meetings posted on the bulletin board in the Municipal Center. Copies have been emailed to the BERGEN RECORD and SUBURBANITE. A copy has been filed with the Borough Clerk, and copies have been provided to individuals requesting the same.

(ALB) Roll Call:

	PRESENT	ABSENT
NAPOLITANO(AN)	x	
EVANELLA (GE)	x	
WALKER (DW)	x	
BROCKMAN (JB)	x	
PEDERSEN (JP)	x	
CHUNG (JC)	x	

Also present:

Ms. Ann H. Bistriz, CMC, RMC, CMR Admin. (ALB)

Mr. Kunjesh Trivedi, CFO, CTC (KJT)

Mr. John R. Dineen, Borough Attorney (JRD)

(PAH) Motion to Suspend the Regular Order of Business GE

Second JP

AIF

Motion to Open the Meeting to the Public GE

Second JP

AIF

Brett Finer-Norma Road

Thanked Council for time.

Mr. Finer requested to discuss several items that he had brought up in the past.

- 1) He has concerns about the downtown area. Mayor Hoelscher responded that a project is in the works using funds that may be awarded. Mr. Finer inquired into the process of getting the word out to the public and what committee would be entertaining the project. He would like to speak to members of a specific committee so he can interject his thoughts regarding items from lighting to planters. He would like to also reach out to the Beautification Committee for additional comment.

PAH suggested that Mr. Finer reach out to Ms. Gibney since she oversees the planters along the stores in the downtown area.

- 2) Mr. Finer requested to know the process that is involved with getting streets paved in the Borough. Is it the DPW or the Engineers that determine which roads get paved. PAH responded that the DPW, Councilwoman Walker and Mrs. Bistriz (who has map in office) are involved with that process reviewing which grants may be available. In addition, the CFO recommends financially, how much money can be considered for such a project.

- 3) Mr. Finer reported that many residents on Deal Street are unhappy with the decision regarding the subdivision in that area.

JRD explained that the applicant appealed the two decisions of the Planning Board and the Court overruled the Boards decision.

AN sits on Planning Board and explained that the Board did all they could do to curtail the development in the area. However, it is legally allowable for the applicant to appeal to a higher authority.

JRD added that the County Court is a sophisticated process. However, individuals can appeal on their own. The Board has chosen not to take this any further.

JP read the decision, and though he is not an authority on land use, he understands the basic process. The Planning Board attorney when to court to uphold the Boards decision, however, land use standards apply to this application and there is not much basis to overturn the County Court decision.

Mr. Finer stated that the Council should do something since residents are unhappy.

PAH noted that he had to recuse himself from the original application due to a conflict. JRD explained to Mr. Finer that the Mayor and Council have no jurisdiction over land use decisions. That is the purpose of Boards and Commission.

- 4) Additional request for Mr. Finer was to have the Borough repair and upgrade the school baseball/softball fields. He does not like to condition the school is keeping their fields and was supposedly advised by the School that this is a problem to be addressed by the Borough. He requested to have an explanation of the disconnect between the Council and the School with respect to the children that want to use the fields.

JC explained that there is a contract for field maintenance that minimally covers part of that area. Recreation is not using those field for their sports programs this year, nor did they last year. The contract covers the clay in the diamonds. She continued that the Recreation Commission members have chosen to focus on Highland and Pondside Parks. If Recreation continues to not utilize the school fields, upcoming maintenance contracts will reflect that change, making the school completely responsible for their property.

Mr. Finer requested to fix the bases so children do not get injured if they are playing in the area. JC will reach out to the school to advise them accordingly.

- 5) Powerwashing of all field rides and equipment should be maintained on a regular basis. JC reminded Mr. Finer that there are no water sources to provide this type of service. However, a contractor that has its own water source has been found who will provide a couple of cleanings.
- 6) Additional items of concern include: straightening and cleaning street signs throughout the town, continual dealing with CSX to keep their right of ways clean, removal of old vehicles by Recycling Center, and weeding of sign boxes throughout the town.

Response from Council was that Mr. Nappi will be advised to work on the signs, ALB noted that an auction will take place for vehicles in August and Mr. Finer was advised that letter have been written to the appropriate offices requesting CSX to clean their area, since employees are prohibited from trespassing on Federal (or any) property.

(PAH) Meeting Closed to the Public

Motion GE

Second JP

Vote AIF

Return to the Regular Order of Business

Motion GE

Second JP

Vote AIF

(PAH) Consent Agenda-Resolutions-

All matters listed under this section are considered to be routine by the Borough Council and will be enacted by one motion as listed below. There will not be separate discussion of

these items. Should discussion be desired, that item will be removed from the Consent Agenda and will be considered separately under New or Old Business on the Agenda.

Consent Approval Items: A-J

- A 2021-92 RESOLUTION AUTHORIZING PURCHASE CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a (Memorialization)
- B 2021-93 Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Norma Road Roadway Improvements project.
- C 2021-94 To Advertise for Part-Time Position for Borough Clerk's Office (Memorialization)
- D 2021-95 Harrington Park Volunteer Fire Department Junior Membership
- E 2021-96 Street Closing for Our Lady of Victories Church (Memorialization)
- F 2021-97 (Correction) AGREEMENT FOR PROFESSIONAL SERVICES
- G 2021-98 (Correction) AGREEMENT FOR PROFESSIONAL SERVICES
- H 2021-99 Change Order Riverside Cooperative
- I 2021-100 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HARRINGTON PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY AUTHORIZING THE BOROUGH TAX COLLECTOR TO PREPARE AND ISSUE ESTIMATED TAX BILLS
- J 2021-101 RESOLUTION AUTHORIZING PURCHASE CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a

Motion JP

Second DW

Discussion none

Vote AIF, JB abstain from D

Individual Committee Reports

(PAH) Mayor Hoelscher

(AN) Planning Bd., Bd. of Adjustment, Construction, Fire, Ambulance
Building Department: \$15,913 permits
Ambulance Corps: 21 Calls, 13 in Harrington Park

(GE) Police, Municipal Court, Personnel

(DW) DPW, Building & Grounds, Sanitation/Recycling

(JB) Board of Health, Environmental Commission

(JP) Finance, Admin. & Exec., Grants

(JC) Recreation Commission, Liaison to Board of Education, Public Information
Fishing Derby-June 20, 2021 at Pondside Park. Lucas Bogosian will be joining the event with prizes and showing his boat to the participants. Derby will be held from Noon until 2pm.

(JRD) Borough Attorney

(ALB) Borough Clerk/Administrator
Dog Census-will be done by mail this year- this is a procedure that many other communities use. People may not be comfortable having strangers knock on their doors, as our community opens up to public activities.

(KJT) CFO/TAX Collector

Old Business:

New Business:

Recreation Commission would like to move Town Day to September 18, 2021, not to deter from the significance of September 11th.

Ordinances:

**Addendum K
Second Reading and Public Hearing
Ordinance #754**

(AN) AN ORDINANCE BY THE BOROUGH OF HARRINGTON PARK IN THE COUNTY OF BERGEN, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING ARTICLE III, SECTION 350-6, PROHIBITED USES, OF THE BOROUGH CODE

**Motion AN
Second DW**

Meeting Open to Public Discussion of Ordinance #754 Only

Motion GE

Second JP

Vote AIF

No Public Present

Meeting Closed to Public Discussion of Ordinance #754 Only

Motion GE

Second JP

Vote AIF

Council Discussion

AN noted that this Ordinance protects the Borough now but allows changes in the future if necessary. If the Council did not pass this Ordinance, the State rulings would apply to the Borough for 5 years.

JRD added that since there is no clear path for regulation he has advised the passing of this ordinance to protect the Borough and allow for changes in the future, once it is seen how this will play out in the public forum.

Planning Board recommended approval. Board of Health was concerned with enforcement, however, JRD stated that this ordinance addresses the prohibition of Cannabis sales so there is no enforcement since it is not allowed.

Roll Call Vote AIF

**Addendum L
Second Reading and Public Hearing
ORDINANCE #756
RECREATION FEES**

**(JC) AN ORDINANCE TO AMEND & ESTABLISH FEES TO BE CHARGED BY THE
RECREATION COMMISSION FOR USE OF RECREATIONAL FACILITIES**

Motion JC

Second DW

Meeting Open to Public Discussion of Ordinance #756 Only

Motion GE

Second JP

Vote AIF

No Public present for discussion

Meeting Closed to Public Discussion of Ordinance #756 Only

Motion GE

Second JP

Vote AIF

Council Discussion-None

Roll Call Vote AIF

(PAH) Open the Meeting to the Public for General Discussion

Motion

Second

Vote

(PAH)Close the Meeting to the Public

Motion

Second

Vote

(PAH) Motion for Closed Session Time: 7:48pm
Second
Vote

RESOLUTION

WHEREAS, N.J.S.A. 10:4-12 permits a public body to conduct business in Closed Session during a public meeting; and

WHEREAS, the Mayor and Council deem it necessary to discuss certain matters in Closed Session as permitted by the aforesaid statute.

(PAH) Part Time Position for Borough Clerk's Office
(GE) Police Personnel

BE IT FURTHER RESOLVED that discussion of the aforementioned subjects may be made public at such time as disclosure of the discussion will not detrimentally affect the interest and Borough as to said discussion.

Return to Open Session 8:10pm

Resolution
2021-102

Appointment of Part-Time Borough Clerk's Office Assistant

WHEREAS, it has been determined that an additional Part-Time Employee is necessary for the Borough Clerks Office; and

WHEREAS, such position has been advertised on the Borough website and the Borough Clerk and the Mayor have interviewed the applicants; and

WHEREAS, the Borough Clerk recommends Ms. Tara McCann to be hired as a Part-Time Assistant to the Borough Clerks Office; and

WHEREAS, other departments may request the assistance of the Part-Time employee on an as need basis.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that Ms. Tara McCann be and is hereby appointed as a Part-Time Borough Clerk's Office employee at the rate of \$16 per hour for a 10-15 hours per week, on an as need basis commencing Monday, June 20, 2021; and

BE IT FURTHER RESOLVED that the appointment for Part-Time Borough Clerk's Office Assistant is an annual appointment as of January 1 of each year and the Mayor and Council of the Borough of Harrington Park has designated such funds in the 2021 Annual Budget and shall be applied immediately upon the passage of the 2021 Salary Ordinance.
Motion GE

Second DW
No discussion
Roll Call Vote AIF

Adjournment-Time:

Motion:

Second:

**Addendum A
Resolution
2021-92**

**RESOLUTION AUTHORIZING PURCHASE CONTRACTS WITH CERTAIN APPROVED
STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, pursuant to N.J.S.A. 40a:11-12A AND N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Harrington Park has a need to purchase, on a timely basis, goods or services utilizing State contracts during 2021; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Borough of Harrington Park plans to utilize the State Contract Vendors listed on the attachment, such transaction shall be subject to all conditions applicable to the current State contracts; now, therefore,

WHEREAS, Chief Financial Officer has certified that monies are available from the account number C-0455219745008.

BE IT RESOLVED, by the Council of the Borough of Harrington Park, in the County of Bergen, that the Borough is hereby authorized to purchase goods or services in 2021 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State contracts:

<u>Commodity / Service</u>	<u>State Contract Vendors Vendor Name</u>	<u>State Contract #</u>
Police/Fire Car Lights/ Equipment	East Coast Emergency Lighting 200 Mecor Drive	17-Fleet-00761 \$14,008.04

Millstone Township, NJ 08535

2021 Ford Interceptor

Winner Ford-Cherry Hill
250 Haddonfield-Berlin Rd,
Cherry Hill, NJ 08034

20-Fleet-01189
\$31,991.00

**Addendum B
Resolution
2021-93**

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Norma Road Roadway Improvements project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Harrington Park formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2022-Norma Road Roadway Improvements-00086 to the New Jersey Department of Transportation on behalf of the Borough of Harrington Park.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Harrington Park and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council

On this _____ day of _____, 20____.

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Mayor)

Addendum C

**Resolution
2021-94**

To Advertise for Part-Time Position for Borough Clerk's Office

WHEREAS, the Borough of Harrington Park has currently an opening for a part/time position in the office of the Borough Clerk;

WHEREAS, the Borough has determined that it shall advertise the employment opportunity seeking applicant responses;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey as follows:

1. The Mayor, Borough Clerk or such other authorized person shall prepare, distribute and advertise according to law an advertisement of the employment opportunity on the terms and conditions attached hereto;

**Addendum D
Resolution
2021-95**

Harrington Park Volunteer Fire Department Junior Membership

WHEREAS the Mayor and Council of the Borough of Harrington Park approve the admittance of the following member in the Harrington Park Junior Volunteer Fire Department:

Brian J. McElroy III

BE IT RESOLVED that applicants shall also be approved for membership with the signed permission of his/her parent or guardian and medical examination

**Addendum E
Resolution
2021-96**

Street Closing for Our Lady of Victories Church

Whereas, On behalf of Our Lady of Victories Church permission has been granted to close sections of Carman Road, The Parkway and Lynn Street during 5:45pm and 6:45pm, June 5, 2021 for the purpose of a Eucharistic Procession for the Feast of Corpus Christi. Councilman Evanella will coordinate the activity with the Chief of Police and DPW Superintendent.

**Addendum F
Resolution 2021-97
(Correction)**

AGREEMENT FOR PROFESSIONAL SERVICES

WHEREAS, Borough of Harrington Park has chosen to enter into a contract with the Year 2021 Riverside COOP Paving Program to construct roadway improvements within the Borough; and

WHEREAS, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for this project; and

WHEREAS, the Agreement for Professional Services includes a cost to be invoiced on a time basis (schedule in contract) not to exceed \$8,985.00 representing Limited Engineering and Construction Administration Services and on a material basis (schedule in contract) not to exceed \$350.00 representing Reimbursable Expenses; and

WHEREAS, the CFO has certified that these funds have been appropriately budgeted for; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the agreement of services for the Year 2021 Riverside COOP Paving Program project for Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey.
Account# 04-55-221755015

Addendum G
Resolution
2021-98
(Correction)

AGREEMENT FOR PROFESSIONAL SERVICES

WHEREAS, Borough of Harrington Park has chosen to enter into a grant agreement in the amount of \$200,000.00 with the New Jersey Department of Transportation to construct roadway improvements on LaRoche Avenue within the Borough; and

WHEREAS, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for this project; and

WHEREAS, the Agreement for Professional Services includes a lump sum cost of \$14,200.00 representing Surveying and Engineering Costs, on a time basis (schedule in contract) not to exceed \$13,800.00 representing Construction Administration Services, and on a material basis (schedule in contract) not to exceed \$1,000.00 representing Reimbursable Expenses; and

WHEREAS, the CFO has certified that these funds have been appropriately budgeted for; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the agreement of services for the LaRoche Avenue Roadway Improvements project for Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey.
04-55-221755017

Addendum H
Resolution
2021-99
Change Order Riverside Cooperative

Be it resolved by the Mayor and Council of the Borough of Harrington Park of Bergen County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: **2021 Riverside Cooperative Road Improvement**

CONTRACTOR: D&L Paving Contractors, Inc., 675 Franklin Avenue, Nutley, NJ 07110

CHANGE ORDER No.: 1

AMOUNT OF CHANGE THIS RESOLUTION: +\$29,429.00 (19.96% Increase)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

04-55-22117555015

**Addendum I
Resolution
2021-100**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HARRINGTON
PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY AUTHORIZING THE
BOROUGH TAX COLLECTOR TO PREPARE AND ISSUE ESTIMATED TAX BILLS**

Whereas, due to the late adoption of the 2021 Bergen County Budget, the Bergen County Board of Taxation is unable to certify tax rates for the year 2021 and

Whereas, without a 2021 certified tax rate the Tax Collector of the Borough of Harrington Park will be unable to issue 2021 tax bills on a timely basis;

Now, Therefore, Be it Resolved by the Mayor and Council of the Borough of Harrington Park, as follows;

1. The Tax Collector of the Borough of Harrington Park is hereby authorized and directed to prepare, and issue estimated tax bills for the Borough of Harrington Park for the third installment of 2021 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by Chapter 72, Public Laws of 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3
2. The entire estimated tax levy for 2021 is hereby set at \$27,530,089.75. The estimated tax rate for 2021 is hereby set at \$2.964%.

	2021 Tax Rate	Tax Rate
	Estimated	
County	\$ 2,503,647.77	0.270%
County open space	\$ 105,091.57	0.011%
Municipal Open Space	\$ 92,954.41	0.010%
District school	\$ 12,987,299.00	1.398%
Regional School Levy	\$ 5,995,617.00	0.645%
Library Levy	\$ 343,132.00	0.037%
Municipal Levy	\$ 5,502,348.00	0.592%
Surplus	\$ -	
	\$ 27,530,089.75	2.964%

**Addendum J
Resolution
2021-101**

**RESOLUTION AUTHORIZING PURCHASE CONTRACTS WITH CERTAIN
APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, pursuant to N.J.S.A. 40a:11-12A AND N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Harrington Park has a need to purchase, on a timely basis, goods or services utilizing State contracts during 2021; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Borough of Harrington Park plans to utilize the State Contract Vendors listed on the attachment, such transaction shall be subject to all conditions applicable to the current State contracts; now, therefore,

WHEREAS, Chief Finance officer has certified that funds are available to spend in the account of current fund for phone system and internet system to support phone system for 783/month and 399/month for lease.

BE IT RESOLVED, by the Council of the Borough of Harrington Park, in the County of Bergen, that the Borough is hereby authorized to purchase goods or services in 2021 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State contracts:

<u>Commodity / Service</u>	<u>State Contract Vendors</u>	<u>Vendor Name</u>
<u>State Contract#</u>		
Telecommunications Equipment and Services	Tru Stor DBA Hunter Technologies 1709 Route 34 Suite 3 Wall Township NJ 07727	T1316

**Addendum K
Proposed Ordinance #754**

AN ORDINANCE BY THE BOROUGH OF HARRINGTON PARK IN THE COUNTY OF BERGEN, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING ARTICLE III , SECTION 350-6, PROHIBITED USES, OF THE BOROUGH CODE

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;

- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, Section 31a of the Act authorizes municipalities by Ordinance to adopt regulations governing the number of cannabis establishments (defined in Section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act authorizes municipalities by Ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, Section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to Section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such Ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Mayor and Council of the Borough of Harrington Park has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Borough of Harrington Park in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Borough’s residents and members of the public who visit, travel, or conduct business in the Borough of Harrington Park, to amend the

Borough of Harrington Park's zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Borough of Harrington Park; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Harrington Park, in the County of Bergen, State of New Jersey, as follows:

1. Pursuant to Section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Borough of Harrington Park, except for the delivery of cannabis items and related supplies by a delivery service.

2. Article VIII, Prohibited Uses, of Chapter 350, Zoning, adding Section 350-6(D), Prohibited Uses, of the Borough Code is hereby amended by adding to the list of prohibited uses in all Zones within the Borough, the following: Prohibited Uses shall include"All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in Section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service."

3. Any person found guilty of violating the provisions of this Ordinance shall be subject to such fines and penalties as set forth in Section 164 of the Borough Code.

4. Any article, section, paragraph, subsection, clause, or other provision of the Harrington Park Borough Code inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

5. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

6. This Ordinance shall take effect upon its passage and publication and filing with the Bergen County Planning Board, and as otherwise provided for by law.

Addendum L
BOROUGH OF HARRINGTON PARK
ORDINANCE #756
RECREATION FEES

**AN ORDINANCE TO AMEND & ESTABLISH FEES TO BE CHARGED BY THE RECREATION
COMMISSION FOR USE OF RECREATIONAL FACILITIES**

Whereas, the Mayor and Council of the Borough of Harrington Park have determined that it is in the best interest of the Borough to amend or create certain fees and to provide for payment of others as may be recommended by the Recreation Commission; and

Whereas, the amendment/establishment of such fees shall provide for better, improved and continued Borough services as specifically considered and approved by the Recreation Commission;

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Harrington Park as follows:

- 1) Section 373-4 shall be amended and provide for fees to be paid for the use of Borough of Harrington Park recreational facilities, in the discretion of the Recreation Commission as follows:

Fee Schedule

Tennis-

Annual Fee - \$150

Court Fee - \$15/hr

A private lesson can be performed only at the designated court by the Recreation Commission and not exceeding more than two courts at the same time.

Field Use

For profit

Annual Fee - \$150

Field fee -\$50/hr

Non-Profit

Annual Fee - \$75

Field fee - \$25/hr

Maximum fee - \$400/3 months

